

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 0921-02
Bill No.: HB 184
Subject: Alcohol; Business and Commerce; Public Safety Department.
Type: Original
Date: January 31, 2003

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Total Estimated Net Effect on General Revenue Fund	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on Other State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.
This fiscal note contains 4 pages.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
None			
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2004	FY 2005	FY 2006
Local Government	\$0	\$0	\$0

FISCAL ANALYSIS

ASSUMPTION

Officials from the **Department of Elementary and Secondary Education, Office of the State Courts Administrator, Department of Revenue, Office of Prosecution Services, Office of the State Public Defender** and the **Department of Public Safety - Liquor Control** each assume this proposal would not fiscally impact their respective agencies.

Officials from the **City of Kansas City** and **St. Louis County** did not respond to our request for fiscal impact.

<u>FISCAL IMPACT - State Government</u>	FY 2004 (10 Mo.)	FY 2005	FY 2006
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

FISCAL IMPACT - Local Government

FY 2004
(10 Mo.)

FY 2005

FY 2006

\$0

\$0

\$0

FISCAL IMPACT - Small Business

Small businesses that sell liquor may be impacted by this proposal.

DESCRIPTION

This proposal makes technical changes to the liquor sales laws. The proposal:

- (1) Removes the requirement that written consent must be obtained before a license to sell liquor within 100 feet of a school or church will be granted (Section 311.080, RSMo);
- (2) Changes the time of opening from 11:00 a.m. to 9:00 a.m. for the sale of packaged liquor at retail and the sale of liquor on Sundays in restaurant bars, amusement places, and places of entertainment (Sections 311.097, 311.098, 311.102, and 311.293);
- (3) Allows persons licensed to sell malt liquor at retail by the drink to also sell 3.2% beer by the drink. The fee for the license is \$25. Any person licensed to sell malt liquor or 3.2% beer at retail may sell between the hours of 9:00 a.m. and midnight on Sundays (Sections 311.200);
- (4) Creates a rebuttable presumption that the contents of a manufacturer-sealed container that is labeled as containing alcohol or intoxicating beer does contain the listed contents. The presumption currently exists only for the sale of liquor to minors (Sections 311.325 and 312.407);
- (5) Requires the purchaser of liquor to provide upon demand by a liquor retailer a valid and unexpired driver's license or passport when purchasing liquor. Under current law, an expired license or passport may be used to purchase liquor (Section 311.328); and
- (6) Expands the power of peace officers employed by the Division of Liquor Control. The peace officers are given arrest, search, and seizure powers for violations of liquor laws, tobacco laws, and other laws when aiding and assisting other law enforcement agencies. The peace officers are required to notify local law enforcement agencies of investigations when making an arrest

RAS:LR:OD (12/02)

(Section 311.630).

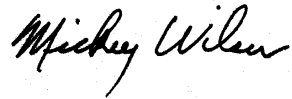
DESCRIPTION (continued)

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Public Safety - Liquor Control
Department of Elementary and Secondary Education
Department of Revenue
Office of the State Courts Administrator
Office of Prosecution Services
Office of the State Public Defender

NOT RESPONDING: City of Kansas City, St. Louis County



Mickey Wilson, CPA
Director
January 31, 2003